

**UNITED STATES GOVERNMENT**  
**NATIONAL LABOR RELATIONS BOARD**

Region 1 Boston, Massachusetts  
10 Causeway Street, 6th Floor  
Boston, MA 02222-1072  
(617) 565-6700

November 25, 2003

Mr. Laurence D. Reed  
RFD #3, Box 185  
Claremont, NH 03743

Re: American Brush  
Case 1-RD-1894

Dear Mr. Reed:

The above-captioned case, petitioning for an investigation and determination of representative under Section 9(c) of the National Labor Relations Act, has been investigated and considered.

Background: Your petition seeking to decertify the United Electrical, Radio and Machine Workers of America, Local 237, as the representative of the employees of the above Employer was filed on December 15, 1997. Thereafter, unfair labor practice charges were filed against the Employer in Cases 1-CA-35607 and 1-CA-35522. Your petition was blocked at that time, pending the outcome of the charges. Those charges were settled on December 16, 1998 and closed on February 25, 1999.

By letter dated November 6, 2003, you were asked if, after the passage of this much time, you still had an interest in pursuing this petition. You were advised that if you did not respond by November 20, 2003, the petition could be dismissed.

Decision to Dismiss: I have decided to dismiss this petition because (1) at no time since the resolution of the unfair labor practice charges, or at any other time, have you indicated an interest in continuing to pursue this matter; and, (2) even if we were to continue processing this case, a new showing of interest would be required because of the passage of time since the filing of the petition.

For the foregoing reasons, your petition must be dismissed.

Right to Obtain Review: Section 102.71(b) of the National Labor Relations Board Rules and Regulations permit you to obtain a review of this action by filing a request for review with the National Labor Relations Board. If you wish to file request for review, your attention is directed to the following, which summarizes the provisions of Section 102.71(c) of the Rules:

Request Due Date: The request for review must be received by the Executive Secretary of the Board in Washington, D.C. by the close of business at 5 p.m. **December 9, 2003**. However, if you mail the request, it will be considered timely if it is postmarked no later than one day before the due date. The request MAY NOT be filed by facsimile transmission.

Extension of Time to File Request: If you provide a good reason, the National Labor Relations Board may grant you an extension of time to file the request for review. You may file a request for an extension of time by mail, by facsimile transmission, or through the Internet. The fax number is (202) 273-4270. Special instructions for requesting an extension of time over the Internet are set forth in the attached Access Code Certificate. Any request for an extension of time must be received by the due date indicated above. A copy of any request for extension of time should be sent to me.

Request Contents: The request for review (eight copies) must contain a complete statement setting forth the facts and the reasons why you believe the decision to dismiss the petition is incorrect.

Address for Request for Review: The request should be sent to the Executive Secretary of the National Labor Relations Board, 1099 14<sup>th</sup> Street, N.W., Washington, D.C. 20570 by the due date specified above. You should send a copy of the request to me, and one copy of the request to each of the parties whose names and addresses are listed below.

Very truly yours,

Rosemary Pye  
Regional Director

cc:  
American Brush  
300 Industrial Blvd.  
Claremont, NH 03743  
Attn: Roger Filion

Edward Kaplan, Esquire  
Sullivan & Hollis  
9 Capital Street  
P.O. Box 1256  
Concord, NH 03302

United Electrical, Radio and Machine Workres  
Of America Local 237  
RFD 2, Box 63  
Woodsville, NH 03785  
Attn: Rachel Clough, Field Agent

United Electrical, Radio and Machine Workers of America (UE)  
One Gateway Center, Suite 1400  
420 Fort Duquesne Boulevard  
Pittsburgh, PA 15222-1416  
Attn: Polly Halfkenny

General Counsel, Office of Appeals

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